BEFORE THE DEPARTMENT OF CORPORATIONS STATE OF CALIFORNIA

In the Matter of the Accusation of:	
MICHAEL J. BOSCHETTI 4478 Lakeview Drive Vacaville, CA 95688) OAH No. L2003080285))
Respondent	
ORD	ER OF DISMISSAL
adopted by the Department of Corporat	Dismissal of the Administrative Law Judge is hereby ions as its Order in the above-entitled matter, with the ursuant to Government Code Section 11517(c)(2)(C):
	under the heading of the Proposed Order of 2003" is substituted for "February 25, 2003."
This Order shall become effective	e on <u>February</u> 2 ^{5,} 2004.
IT IS SO ORDERED February 2	25, 2004
	∧
	WILLIA M P. WOOD California Corporations Commissioner

BEFORE THE DEPARTMENT OF CORPORATIONS STATE OF CALIFORNIA

In the Matter of the Accusation of:

MICHAEL J. BOSCHETTI 4478 Lakeview Drive Vacaville, CA 95688 OAH No. N2003080285

Respondent.

PROPOSED ORDER OF DISMISSAL

Administrative Law Judge Diane Schneider, State of California, Office of Administrative Hearings, heard this matter in Oakland, California on February 25, 2003.

Corporations Counsel Donald A. Newbold represented complainant, California Corporations Commissioner, Demetrios A. Boutris (complainant).

Respondent, Michael J. Boschetti (respondent), appeared and was represented by John Preston, Attorney at Law, 1060 Clarendon Crescent, Oakland, California, 94610.

On November 21, 2003, Corporations Counsel Donald A. Newbold (Newbold) submitted a three page fax transmittal, marked for identification as complainant's Exhbit 44. On November 24 2003, Newbold submitted an additional three page fax transmittal, marked for identification as complainant's Exhibit 45.

FACTUAL FINDINGS

- 1. On December 24, 2002 complainant issued a Desist and Refrain Order to respondent. Respondent appealed.
- 2. On October 22, 2003, hearing commenced on respondent's appeal from the Desist and Refrain Order.
- 3. At the hearing on October 22, 2003, no evidence was presented to support the Desist and Refrain Order.

4. At the hearing on October 22, 2003, Complainant made a motion to dissolve the Desist and Refrain Order.

LEGAL CONCLUSIONS

1. Based upon Factual Findings 3 and 4, cause does not exist for the Desist and Refrain Order on December 24, 2002.

ORDER

The Desist and Refrain Order issued to respondent on December 24, 2002 is hereby dissolved.

DATED: 12/18/03

DIANE SCHNEIDER
Administrative Law Judge
Office of Administrative Hearings